

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID M. SHIPP,

Plaintiff,

-against-

XAVIER BECERRA,

Defendant.

24-CV-8094 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated November 1, 2024, the Court directed Plaintiff, within thirty days, to:

(1) pay the \$405.00 in fees necessary to initiate this action or submit an application to proceed *in forma pauperis* (“IFP”); (2) sign and submit a “Plaintiff’s Certification and Warnings” form; and (3) provide the court with his mailing address or consent to receive electronic service of court documents and provide an email address.¹ (ECF 3.) That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not complied with the Court’s November 1, 2024 order. Accordingly, the Court dismisses the complaint without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to provide a copy of this order to Plaintiff should he appear at the court’s Pro Se Intake window.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ Because Plaintiff did not provide a mailing address or email address, the Clerk of Court was unable to mail a copy of the order to Plaintiff. The Court, however, did direct the Clerk of Court to provide Plaintiff with a copy of the order and the attachments should he appear at the court’s Pro Se Intake window.

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: January 7, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge